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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/201,749	12/01/1998	PING-WEN ONG	11	1977
7590 Ryan, Mason & Lewis 1300 Post Rd. Suite 205 Fairfield, CT 06430			EXAMINER COLBERT, ELLA	
			ART UNIT	PAPER NUMBER
			3694	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/201,749

Applicant(s)

ONG, PING-WEN

Examiner

Ella Colbert

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-10, 12-18, 20-24, and 26-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-28 are pending in this communication filed 12/01/06 entered as Appeal Brief filed.
2. The 35 USC 112 second paragraph rejections for claims 1,8,15,16, 22, and 28 in the Final Office Action mailed 03/31/06 for claims 1, 8, 15, 16, and 28 are hereby withdrawn. However, 35 USC 112 second paragraph rejections still remain for claim 1, 8, 15, 16, 22, and 28 as set forth here below.

Reopening Prosecution

3. In view of the Appeals Conference Decision on 02/22 /07, **PROSECUTION IS HEREBY REOPENED** as set forth here below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Authorization has been given by the SPEs (Supervisor's) signature on the last page of this Office Action.

Drawings

4. The drawings are objected to because Drawing Figure 2 is not within the margin guidelines and Figures 2 and 6 are informal drawings. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because of the defects discussed above. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

Replacement Drawing Sheets

Drawing changes must be made by presenting replacement sheets which incorporate the desired changes and which comply with 37 CFR 1.84. An explanation of the changes made must be presented either in the drawing amendments section, or remarks, section of the amendment paper. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). A replacement sheet must include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of the amended drawing(s) must not be labeled as "amended." If the changes to the drawing figure(s) are not accepted by the examiner, applicant will be notified of any required corrective action in the next Office action. No further drawing submission will be required, unless applicant is notified.

Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and within the top margin.

Annotated Drawing Sheets

A marked-up copy of any amended drawing figure, including annotations indicating the changes made, may be submitted or required by the examiner. The annotated drawing sheet(s) must be clearly labeled as "Annotated Sheet" and must be presented in the amendment or remarks section that explains the change(s) to the drawings.

Timing of Corrections

Applicant is required to submit acceptable corrected drawings within the time period set in the Office action. See 37 CFR 1.85(a). Failure to take corrective action within the set period will result in ABANDONMENT of the application.

If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings MUST be filed within the THREE MONTH shortened statutory period set for reply in the "Notice of Allowability." Extensions of time may NOT be obtained under the provisions of 37 CFR 1.136 for filing the corrected drawings after the mailing of a Notice of Allowability.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 1 recites the limitation "a time" in the first claim limitation and "a time in the second and third claim limitations. Claim 8, recites "a desired version" in claim limitation three and "a desired version" in claim limitation four. In claim limitation three "a time" is recited and again in claim limitation five. Claims 15, 16, 22, and 28 have a similar problem. There is insufficient antecedent basis for this limitation in the claim.

Claims 6, 12, 20 and 26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 6 recites "request is specified using a browser". It is vague and unclear what "request is specified using a browser". Does Applicant mean "requested timestamp is specified using a browser" or "requested version is specified using a browser". Clarification in the claim language is respectfully requested.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 1-3, 5-7, 9, 10, 12-16, 18, 20-24, and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 5,793,966) Amstein et al, hereafter Amstein alone.

With respect to claim 1, Amstein discloses the steps of: receiving a request for the electronic document, the request including a requested time-stamp indicating a time associated with a desired version of the electronic document and a requested domain name associated with said time-stamp (col. 19, line lines 45-65); identifying as a function of said creation time-stamp and said requested time-stamp a desired version of

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said electronic document having a creation time corresponding to said requested time-stamp (col. 19, line 57-col. 20, line 23); and identifying an address of said desired version of said the electronic document stored on a server corresponding to the requested timestamp as a function of said requested time-stamp and said requested domain name (col. 18, line 65 –col. 20, line 42 and Figures 6A-6C), wherein a server identified by the requested domain name does not provide said desired version at a time of said request and said identified server has a redirected domain name that is different than said requested domain name (col. 24, lines 32-60 and Figure 9 and Figure 10). Amstein did not expressly disclose that the server is identified by the requested domain name. However, Amstein discusses a server in col. 20, lines 13-16 which could be used to perform this step of claim 1. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the server being identified by the requested domain name with the identified server having a redirected domain name because such feature would make the web pages (HTML files) available to be viewed by the web browser at a redirected web site on the Internet.

With respect to claim 15, an article of manufacture comprising a computer readable medium having a computer readable program code means embodied thereon performing the method of claim 1, and is rejected under the similar rationale.

With respect to claim 16, a method for resolving a domain name performing the method steps of claim 1 and is also rejected for the similar rationale as given above for claim 1.

With respect to claim 22, This claim is rejected for the similar rationale as given above for claim 16.

With respect to claim 28 is an article of manufacture for resolving a domain name for performing the steps of claims 15, 16 and 22. Amstein further teaches, identifying a server associated with the said domain name ... (col. 4, lines 1-19 and lines 41-67 and Figure 6B shows a timestamp).

With respect to claims 2, 9, 17, and 23, Amstein discloses, an address identifying the document includes the creation time-stamp (receiving from a user one or more values indicative of one or more selected segments of the streams corresponding to selected intervals of time (Figure 6B (time created:TRI 19 Nov 1995 10:47:33 EST)).

With respect to claims 3,10, 18, and 24, Amstein discloses, the address is a Uniform Resource Locator ("URL") (col. 7, lines 47-56).

With respect to claims 5 and 13, Amstein discloses, transmitting the version of said electronic document with the most recent creation time-stamp preceding the requested time-stamp if a version of the electronic document does not exist with the requested time-stamp (col. 17, line 55-col. 18, line 16).

With respect to claims 6, 12, 20, and 26, Amstein discloses, the request is specified using a browser (col. 16, lines 12-35).

With respect to claims 7, 14, 21, and 27, Amstein discloses, the requested time-stamp is a relative time-stamp (chronological indicators including past, present, and future times. Freeman teaches, the requested time-stamp is a relative time-stamp (col. 17, lines 55-61).

With respect to claim 16, a method for resolving a domain name performing the method steps of claim 1 and is also rejected for the similar rationale as given above for claim 1.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over (US 5,559,991) Kanfi in view of (US 5,793,966) Amstein et al, hereafter Amstein.

With respect to claim 8, Kanfi discloses, a memory (col. 2, line 50-col. 3, line 5 and line 37-col. 4, line 36 and lines 49-67) and a processor (col. 2, line 50- col. 3 line 1).

Amstein discloses the steps of: receive a request for the electronic document, the request including a requested domain name and a requested time-stamp indicating a time associated with a desired version of the electronic document (col. 19, line lines 45-65); identifying as a function of said creation time-stamp and said requested time-stamp a desired version of said electronic document having a creation time corresponding to said requested time-stamp (col. 19, line 57-col. 20, line 23); and identifying an address of said desired version of said the electronic document corresponding to the requested timestamp as a function of said requested time-stamp and said requested domain name

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(col. 18, line 65 –col. 20, line 42 and Figures 6A-6C), wherein a server identified by the requested domain name does not provide said desired version at a time of said request and said identified address has a redirected domain name that is different than said requested domain name (col. 24, lines 32-60 and Figure 9 and Figure 10). Amstein did not expressly disclose that the server is identified by the requested domain name. However, Amstein discusses a server in col. 20, lines 13-16 which could be used to perform this step of claim 1. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the server being identified by the requested domain name with the identified server having a redirected domain name because such feature would make the web pages (HTML files) available to be viewed by the web browser at a redirected web site on the Internet.

Independent claim 8 is a computer system performing the method of claim 1 and is also rejected for the similar rationale as given above for claim 1.

Allowable Subject Matter

11. Claims 4, 11, 19, and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Applicant's Uniform Resource Locator ("URL") having an associated request header for indicating a requested timestamp" was not disclosed by, would not have been obvious over, nor fairly suggested by the prior art of record.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kisor et al (US 5,978,847) disclosed attributes of a Web page without downloading the Web page.

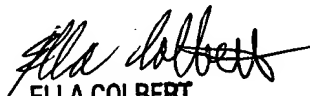
Inquiries

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 571-272-6741. The examiner can normally be reached on Monday, Tuesday, and Thursday, 5:30AM-3:00PM.

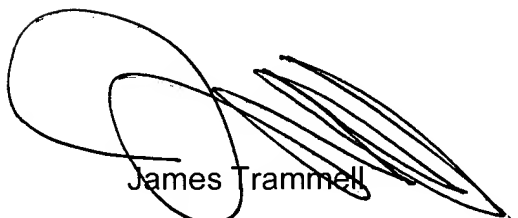
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


ELLA COLBERT
PRIMARY EXAMINER

March 18, 2007


James Trammell
SPE Signature